

REMARKS

Amendments

Claim 2 is rewritten in independent form.

Support for the amendments of claim 2, wherein the definitions of R² is amended, can be found, e.g., on page 6, lines 3-5, of the specification.

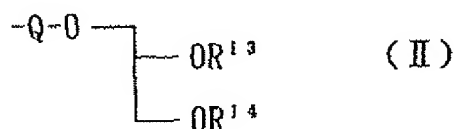
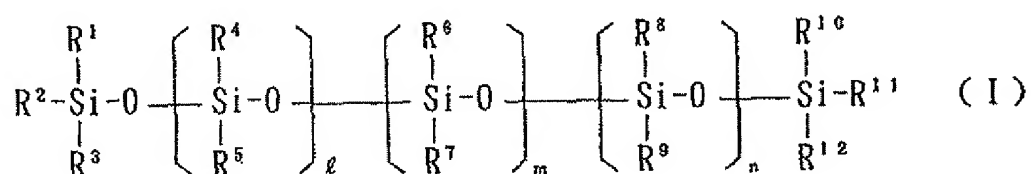
New claim 35 is supported by the description, e.g., on page 6, line 8 to page 7, line 5, of the specification.

New claim 36 is supported by the description, e.g., on page 11, line 22 to page 12, line 10, of the specification.

The Rejection Under 35 USC § 102

The organopolysiloxane polymer of the present invention has a three-dimensional cross-linked structure as explained on, e.g., page 8, lines 9-11 and 17-19, of the specification. This feature/element is now explicitly recited in the claims, which is not a new limitation since it is a result of the ingredient (a1) as explained in the specification on page 8, lines 425.

The silicone derivative in the Shioya's reference is represented by the following formula (I), which has a straight-chain structure, which has a group represented by general formula (II).



Nowhere does Shioya mention that the compounds taught therein have a three-dimensional cross-linked structure.

The structures of the silicone derivatives in Shioya are clearly different from that of the organopolysiloxane polymers of the present claims.

The Rejection Under 35 USC § 103

Shioya's silicone derivatives cannot swell up by containing liquid oil since said silicone derivatives do not have three-dimensional crosslinked structures. See page 8 of the specification for a more detailed explanation. The silicone derivatives of Shioya have a glycerol group as the above

described hydrophilic group (II) and are taught to be useful as a water-in-oil type emulsifier. See, column 1, lines 53-59 and column 2, lines 7-12, column 4, line 66 to column 5, line 2 of Shioya.

However, the organopolysiloxane polymers of the present claims swell up by containing liquid oil and thereby a pasty composition is obtained or achieved. See page 17, lines 7-9 and 14-17 of the specification. Both the disclosed uses and properties of Shioya's silicone derivatives are clearly different from those of organopolysiloxane polymer of the present claims.

Harai teaches a silicone rubber adhesive composition comprising; (A) organohydrogenpolysiloxane having at least two silicon-bonded hydrogen atoms in each molecule, (B) organopolysiloxane having at least two silicon-bonded alkenyl groups in each molecule, (C) wet method hydrophobicized reinforcing silica, (D) acryl or methacryl-functional silane coupling agent, (E) epoxy-functional silane coupling agent, (F) partial allyl ether of multivalent alcohol, and (G) catalyst.

This reference does not teach a crosslinked organopolysiloxane of the presently claimed invention, and does not provide reasons or guidance to one of ordinary skill in the art to achieve the same.

Component (F), which among other possibilities can be diglycerol diallyl ether, is taught to impact tack of the uncured adhesive and improve durability of adhesion of the therein disclosed adhesive. See page 8, lines 15-23. However, if the cured rubber adhesive of Harai would have the properties of the presently claimed invention (i.e., an ability to swell by containing at least its own weight of a liquid oil), the adhesive ability of the therein-disclosed adhesive would be decreased. Such, is clearly contrary to the objectives of Harai, which teaches a silicone rubber adhesive.

Therefore, one of ordinary skill in the art would not use (or have any reason or motivation to use) the teachings of Harai in achieving the presently claimed invention, as the achieved properties of the presently claimed invention cannot be considered useful properties for the adhesives taught by Harai. As such, one of ordinary skill in the art would not find a reason to combine an element, especially the component (F), of Harai's adhesive with the hydrophilic silicone derivatives of Shioya.

As such, the present invention is not obvious from the disclosures of Harai and Shioya. Reconsideration is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

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